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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of John C. Harvey and James W. Cuddihy

Serial No. 08/459,788

Filed June 2, 1995 Atty Dkt 5634.243

For SIGNAL PROCESSING APPARATUS AND METHODS

Assistant Commissioner of Patents  
Washington, D.C. 20231

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF  
APPLICATION -- FILING DATE GRANTED**

Sir:

In response to the enclosed PTO-1607, **Notice to File Missing Parts of Application -- Filing Date Granted**, dated July 7, 1995, Applicants herewith submit the following:

- Copy of PTO-1607
- Small Entity Declaration, as filed in the parent case, application serial number 08/113,329, filed August 30, 1993.

**Small Entity Status**

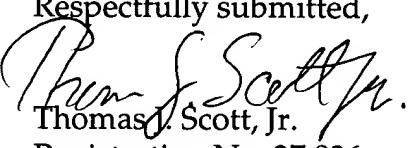
Please accord small entity status for the above reference patent application.

Small entity status was properly established in the parent case, application serial number 08/113,329, and the patent application referenced above had small entity status at the applications' filing date. Therefore, pursuant to 37 C.F.R. § 1.9(d), the application qualifies for small entity. The application had a check attached calculated

for small entity filing fees, in the amount of \$365.00. A Copy of the Verified Statement Claiming Small Entity Status for a Small Business Concern from the parent case is attached. Therefore, a surcharge is not required.

The Commissioner is hereby authorized to credit any overpayment to Deposit Account No. 08-3038 -- *This sheet is submitted in triplicate.*

Date: August 7, 1995  
**HOWREY & SIMON**  
1299 Pennsylvania Avenue, NW  
Washington, D.C. 20004  
Tel: (202) 783-0800

Respectfully submitted,  
  
Thomas J. Scott, Jr.  
Registration No. 27,836  
Attorney for Applicants

**UNITED STATES DEPARTMENT OF COMMERCE****Patent and Trademark Office**Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
08/459,788	06/02/95	HARVEY	J 5634.243

08/459,788 06/02/95 HARVEY

J 5634.243

0272/0707

THOMAS J SCOTT JR  
HOWREY & SIMON  
1299 PENNSYLVANIA AVENUE NW  
WASHINGTON DC 20004

0000

DATE MAILED:

07/07/95

**NOTICE TO FILE MISSING PARTS OF APPLICATION  
FILING DATE GRANTED**

An Application Number and Filing Date have been assigned to this application. However, the items indicated below are missing. The required items and fees identified below must be timely submitted **ALONG WITH THE PAYMENT OF A SURCHARGE** for items 1 and 3-6 only of \$130 for large entities or \$65 for small entities who have filed a verified statement claiming such status. The surcharge is set forth in 37 CFR 1.16(e).

If all required items on this form are filed within the period set below, the total amount owed by applicant as a  large entity,  small entity (verified statement filed), is \$485.00

Applicant is given **ONE MONTH FROM THE DATE OF THIS LETTER, OR TWO MONTHS FROM THE FILING DATE** of this application, **WHICHEVER IS LATER**, within which to file all required items and pay any fees required above to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

1.  The statutory basic filing fee is:  missing  insufficient. Applicant as a  large entity  small entity, must submit \$365 to complete the basic filing fee.

2.  Additional claim fees of \$ as a  large entity,  small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

3.  The oath or declaration:

is missing.

does not cover the newly submitted items.

An oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date is required.

4.  The oath or declaration does not identify the application to which it applies. An oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

5.  The signature(s) to the oath or declaration is/are:  missing;  by a person other than the inventor or a person qualified under 37 CFR 1.42, 1.43, or 1.47. A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

6.  The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

7.  The application was filed in a language other than English. Applicant must file a verified English translation of the application and a fee of \$ under 37 CFR 1.17(k), unless this fee has already been paid.

8.  A \$  processing fee is required since your check was returned without payment. (37 CFR 1.21(m)).

9.  Your filing receipt was mailed in error because your check was returned without payment.

10.  The application does not comply with the Sequence Rules. See attached Notice to Comply with Sequence Rules 37 CFR 1.821-1.825.

11.  Other.

Direct the response to Box Missing Part and refer any questions to the Customer Service Center at (703) 308-1202.

***A copy of this notice MUST be returned with the response.***

COPY TO BE RETURNED WITH RESPONSE